



Stony Brook
University

Center for Excellence in
Learning and Teaching (CELT)

Update on Distance Education USDOE Federal Regulations

The Federal Regulations related to distance education and innovation, issued under the Higher Education Act of 1965, have been amended, going into effect in July, 2021.



Overview: What Matters Pedagogically

- This is the first time that the regulations mention both synchronous and asynchronous modes of instruction
- The changes better define and clarify the pedagogical and technological options available in the 21st century
- The changes also support the work SBU faculty have been doing pedagogically when developing and facilitating online courses

Five Critical Factors in Differentiating “Correspondence” and “Distance” Education

- Distance education should be delivered through an “appropriate” form of online media.
- Distance education must use instructors that meet accreditor requirements for instruction in the subject matter.
- There should be at least two forms of substantive interaction.
- There must be “scheduled and predictable” opportunities for instructor/student interaction.
- Instructors must be responsive to students’ requests for support.

From: Downs, 2020

Notes



**Federal Government
Definition**



**What does this
mean for us?**

Distance Education Definitions

Distance Education Definition (34 CFR 600.2)



Education that uses one or more of the technologies listed in paragraphs 1.1 through 1.4 of this definition to deliver instruction to students who are separated from the instructor or instructors, and to support **regular and substantive interaction** between the students and the instructor or instructors, either **synchronously** or **asynchronously**.

Distance Education Definition: Technologies

1. The technologies that may be used to offer distance education include
 - 1.1 The internet;
 - 1.2 One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
 - 1.3 Audio conferencing; or
 - 1.4 Other media used in a course in conjunction with any of the technologies listed in paragraphs 1.1 through 1.3 above

What does this mean for us?

The definition is differentiating distance education with correspondence education



Examples:

- A student uses the Internet to log onto Blackboard and connect to a synchronous session via Zoom. (synchronous)
- A student uses the Internet to log onto Blackboard, watch a short lecture using Echo 360, and
- participate in a discussion using VoiceThread. (asynchronous)

Notes

What does this mean for my courses and/or my department?

Instructor Definition



2. For purposes of this definition, an instructor is an individual responsible for delivering course content and who meets the qualifications for instruction established by the institution's accrediting agency.



Instructors must be defined as such through Middle States:

MSCHE Standard III

2. student learning experiences that are designed, delivered, and assessed by faculty (full-time or part-time) and/or other appropriate professionals who are:
 - a. rigorous and effective in teaching, assessment of student learning, scholarly inquiry, and service, as appropriate to the institution's mission, goals, and policies;
 - b. qualified for the positions they hold and the work they do;
 - c. sufficient in number;
 - d. provided with and utilize sufficient opportunities, resources, and support for professional growth and innovation;
 - e. reviewed regularly and equitably based on written, disseminated, clear, and fair criteria, expectations, policies, and procedure

What Does This Mean For Us?



Teaching Assistants

- Graduate TAs can be defined instructors
- Undergraduate TAs are not defined as instructors

Notes

What does this mean for my courses and/or my department?

Substantive Interaction Definition



3. For purposes of this definition, substantive interaction is engaging students in teaching, learning, and assessment, consistent with the content under discussion, and also includes at least two of the following
- 3.1. Providing direct instruction;
 - 3.2. Assessing or providing feedback on a student’s coursework;
 - 3.3. Providing information or responding to questions about the content of a course or competency;
 - 3.4. Facilitating a group discussion regarding the content of a course or competency; or,
 - 3.5. Other instructional activities approved by the institution’s or program’s accrediting agency.

Direct instruction

Instructional approach through which specific skills or concepts are taught in highly structured environments using clear, direct language; focused on producing specific learning outcomes and sometimes achieved through the use of scripted lessons. See also: explicit instruction.

Explicit, systematic instruction

Instructional approach in which teachers clearly identify the expectations for learning, highlight important details of the concept or skill, offer precise instruction, and connect new learning to earlier lessons and materials; sometimes referred to simply as explicit instruction.

From: IRIS |Glossary, n.d.

What Does This Mean For Us?



Substantive Interaction

Instructors (faculty or graduate TAs) must use two or more:

- Synchronous lectures
- Asynchronous video lectures
- Feedback and assessments
- Video or text announcements and instructions
- Answering questions over email and through discussion boards
- Responding in a VoiceThread or discussion board

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What does this mean for my courses and/or my department?

Regular Interaction Definition



4. An institution ensures regular interaction between a student and an instructor or instructors by, prior to the student’s completion of a course or competency—

4.1. Providing the opportunity for substantive interactions with the student on a predictable and scheduled basis commensurate with the length of time and the amount of content in the course or competency; and

4.2. Monitoring the student’s academic engagement and success and ensuring that an instructor is responsible for promptly and proactively engaging in substantive interaction with the student when needed, on the basis of such monitoring, or upon request by the student

What does this mean for us?



Instructors (faculty or graduate TAs) must:

- Meet with or provide content weekly (suggested: on the same days unless otherwise noted)
- Provide clear dates as to when items are due and when students must interact with content
- Respond to student work - in a short but defined period of time when urgent; in a defined time after assignments are due

Everything should be clearly noted in the syllabus/LMS:

- Due dates
- Response expectations
- When grades will be posted after tests/assignments are due
- Office hours and other ways to communicate with the instructor(s)

Notes

What does this mean for my courses and/or my department?

Academic Engagement (34 CFR 600.2)



- Active participation by a student in an instructional activity related to the student's course of study that
1. Is defined by the institution in accordance with any applicable requirements of its State or accrediting agency;
 2. Includes, but is not limited to
 - 2.i Attending a synchronous class, lecture, recitation, or field or laboratory activity, physically or online, where 2.2 there is an opportunity for interaction between the instructor and students;
 - 2.ii Submitting an academic assignment;
 - 2.iii taking an assessment or an exam;
 - 2.iv Participating in an interactive tutorial, webinar, or other interactive computer-assisted instruction;
 - 2.v Participating in a study group, group project, or an online discussion that is assigned by the institution; or
 - 2.vi Interacting with an instructor about academic matters;

Academic Engagement Does Not Include



3. Does not include, for example—
 - 3.1. Living in institutional housing;
 - 3.2. Participating in the institution's meal plan;
 - 3.3. Logging into an online class or tutorial without any further participation; or
 - 3.4. Participating in academic counseling or advisement.

What does this mean for us?

Examples: Academic Engagement

Instructors may require students to do one or more of the following:



- Attend an interactive synchronous class (chat, polling, discussion, etc)
- Submit assignments
- Take exams
- Complete an activity, webinar, etc online
- Participate in group work/discussion
- Office hours, etc

Does Not Include:

- The class may not be self-paced without faculty engagement and responses.
- The class must be facilitated.

Notes

What does this mean for my courses and/or my department?

Application of standards in reaching accreditation decisions (34 CFR 602.17)



(g) Requires institutions to have processes in place through which the institution establishes that a student who registers in any course offered via distance education or correspondence is the same student who academically engages in the course or program; and

(h) Makes clear in writing that institutions must use processes that protect student privacy and notify students of any projected additional student charges associated with the verification of student identity at the time of registration or enrollment.

What does this mean for us?

- Students use single-sign on for assessment purposes so that the university knows that the person using the tools is logging in with their personal credentials.
- If you require a webcam or other technology for remote proctoring or if you will be requiring students to pay for remote proctoring, etc, this information needs to be mentioned in the course description upon registration.

Stony Brook University Policy
[Appropriate Use of Information Technology P109](#)

Notes

What does this mean for my courses and/or my department?

References

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